App. F. IX-4

Previous References. 1950-51 (C.D.)

File No. 345-50

Serial Nos. 14

Later References. 1

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2 to 6

Part B for March 1951

SUBJECT

Cut Motion No. 28 — Demand No. 31 — By Sri M. [illegible]

Re- Desirability of excluding the Range of Government [illegible] from the proposed steep increase in Demand from year to year

WD 010861—GPB—25,000—18-9-50

(15)

345-50

MYSORE LEGISLATIVE ASSEMBLY.

Budge Session - March-April 1951.

CUT MOTION No.128 - Demand No.31:

The demand under the head "55 Superannuation Allowances and Pensions" for Rs.37,04,000 be reduced by Rs.100 (with a view to discuss the desirability of extending the age of retirement in order to prevent the steep increase in the demand from year to year).

.....Sri M.N.Jois.

Article 305 of the Mysore Service Regulations is reproduced below* defines the terms and conditions under which ~~the~~ extension of services are usually granted to the Officers.

(*) Typed on a separate sheet.

Except in Technical Departments where for obvious reasons, continuity of experience is found to be of immense value and where officers having the requisite qualifications may be found to be ~~always~~ almost ir-replacable under certain circumstances, the general rule in non-Technical Departments is that Officers ~~should~~ to ~~be~~ retired from service on attaining the age of superannuation ~~barring~~ except in exceptional cases. This is a well established practice and is found by experience to be in the best interests of the administration. It would not therefore be desirable purely from financial point of view, to raise the age of superannuation. The cut motion may therefore have to be opposed.

GENERAL & REVENUE SECRETARIAT
10/C.S.
2 [illegible] 1951
BANGALORE.

29.3.51.

Chief Secy)

29.3.51

Cut motion was moved & withdrawn.
29.3.51 after a suitable reply. Sri H.D.)

Encl. to Cut Motion 128 Of Bud-Ses.51.

Extracts from M.S.R. - Section IV.
Superannuation Pension.

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305 (a) An officer in Superior service, who has attained the age of fifty-five years, may be required to retire, unless Government considers him efficient, and permits him to remain in the service. But as the premature retirement of an efficient officer imposes a needless charge on the State, this rule should be worked with discretion. And in cases in which the rule is enforced, a statement of the reasons for enforcing it shall be placed on record.

NOTE: It is trusted that the Heads of Departments will always be disposed to extend to this rule a very liberal interpretation, and that the State may, in no case, be deprived of the valuable experience of really efficient officers by the untimely exercise of the powers of compulsory retirement on pension.

(b) These rules apply to all officers in Superior service without reference to their nationality. If an officer is efficient after attaining the age of fifty-five years, his retention in the service is not barred by the accident of his being, of other than purely native birth.

(c) The following ruling should be kept carefully in view in applying the rules regarding compulsory retirement:-

As some misapprehension appears to exist on the subject of the rule regarding the compulsory retirement of officers after the age of fifty-five years, it is desirable to state that not only do Article 305 and Article 428 of these Regulations read together, not require the compulsory retirement of any efficient officer of whatever age, but that though the Articles authorize the Heads of Departments, at their discretion, to presume that an officer is inefficient at fifty-five years of age conditionally, and at sixty years of age absolutely, yet the whole tenor of the rules is that such presumption shall be exercised with careful consideration, both for the individual who would suffer by being deprived of his appointment while capable of discharging its duties, and for the finances of the country, which would suffer were officers, still efficient, prematurely thrown upon the pension list.

JMR
29-3-57